

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**DUGAN CALVIN RUSSELL**

**PLAINTIFF**

**V.**

**NO. 3:13CV00030-MPM-JMV**

**ALLIANZ LIFE INSURANCE  
COMPANY NORTH AMERICA, et al.**

**DEFENDANTS**

**ORDER**

Before the court is Defendants' motion [28] to stay these proceedings pending resolution of their motion to dismiss or transfer venue. In support of the motion, Defendants essentially argue that its venue motion is based upon the parties agreement that Minnesota law would govern this dispute and that the parties would submit to the jurisdiction of Minnesota courts. Additionally, Defendants assert that a stay of these proceedings would promote judicial economy. Plaintiff points out that any discovery methods employed and the information obtained from them would likely be used regardless of the jurisdiction in which the case is ultimately heard and that the case should move forward in the interim. The court agrees with Plaintiff and finds— despite Defendants' assertion to the contrary— that no party will be prejudiced if this case is allowed to move forward pending a decision by the district judge on the motion to dismiss or transfer venue. Accordingly, the instant motion is hereby DENIED.

**THIS**, the 17<sup>th</sup> day of May, 2013.

**/s/ Jane M. Virden**  
**U. S. MAGISTRATE JUDGE**